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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Jose L. BOYER, et al.

Appl. No. 09/934,970

Filed: August 21, 2001

For: **COMPOSITION AND METHOD FOR
INHIBITING PLATLET
AGGREGATION**

Art Unit: 1623

Examiner: LEWIS, Patrick T.

Atty. Docket:
03678.0064.CPUS01

Confirmation No.: 8356

Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☒ c. Attached is our Check No. 6606 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the

Information Disclosure Statement be considered. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i).

- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- 8. Copies of all the documents were cited by or submitted to the Office in Application No. 09/643,138, filed August 21, 2000, which is relied upon for an earlier filing date

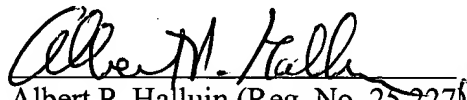
under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37
C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

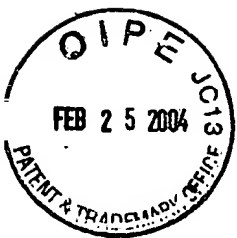
The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 03678.0064.CPUS01.

Respectfully submitted,

Date: February 24, 2004


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LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary) PTO FORM 1449	ATTY. DOCKET NO. 03678.0064.CPUS01	APPLICATION NO. 09/934,970
	APPLICANT Boyer, et al.	
	FILING DATE 21-Aug-2001	GROUP 1623

U.S. PATENT DOCUMENTS								
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	1.							
	2.							
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FOREIGN PATENT DOCUMENTS								
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							YES	NO
	5.	WO 92/ 01673	07/11/91					
	6.							
	7.							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		
8.	Alessi, D. <i>et al.</i> , "Synthesis and Properties of a Conformationally Restricted Spin-Labeled Analog of ATP and Its Interaction with Myosin and Skeletal Muscle" <i>Biochemistry</i> (1992), 31(34), 8043-54.	
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10.	Cardullo, R. A. <i>et al.</i> , "Synthesis, Purification, and Characterization of 2,4,6-Trinitrophenyl-UDP-galactose: A Fluorescent Substrate for Galactosyltransferase" <i>Analytical Biochemistry</i> (1990), 188(2), 305-9.	
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12.	Chapal, J. <i>et al.</i> , "Comparative effects of adenosine-5'-triphosphate and related analogs on insulin secretion from the rat pancreas" <i>Fundamental & Clinical Pharmacology</i> (1997), 11(6), 537-545.	
13.	Hiratsuka, Toshiaki, "Biological Activities and Spectroscopic Properties of Chromophoric and Fluorescent Analogs of Adenine Nucleoside and Nucleotides, 2',3'-O-(2,4,6-Trinitrocyclohexadienylidene) Adenosine Derivatives" <i>Biochimica et Biophysica Acta</i> (1982), 719(3), 509-17.	
14.	Hiratsuka, Toshiaki, "Monitoring the Myosin ATPase Reaction Using a Sensitive Fluorescent Probe: Pyrene-Labeled ATP" <i>Biophysical Journal</i> (1997), 72(2, Pt. 1), 843-849.	

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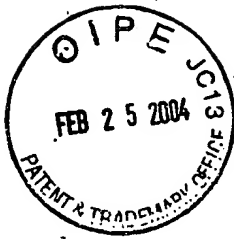
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15.	Ikehara, M. <i>et al.</i> , "III. Interaction Between Synthetic Adenosine Triphosphate Analogs and Actomyosin Systems" <i>Biochimica et Biophysica Acta</i> (1965), 100(2), 471-8.
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18.	Lowe, G. <i>et al.</i> , "Evidence of a Dissociative S _N 1(P) Mechanism of Phosphoryl Transfer by Rabbit Muscle Pyruvate Kinase" <i>Journal of the Chemical Society, Perkin Transactions 1: Organic and Bio-Organic Chemistry</i> (1972-1999) (1978), (12), 1622-30.
19.	Marian, M., "Acetyl Derivatives of Nucleoside 5'-Triphosphates. I." <i>Microchemical Journal</i> (1984), 29(2), 219-27.
20.	Mayer, I. <i>et al.</i> , "Interaction of Fluorescent Adenine Nucleotide Derivatives with the ADP/ATP Carrier in Mitochondria. 1. Comparison of Various 3'-O-Ester Adenine Nucleotide Derivatives" <i>Biochemistry</i> (1984), 23(11), 2436-42.
21.	Muralatiev, M. <i>et al.</i> , "Interaction of mitochondrial F ₁ -ATPase with trinitrophenyl derivatives of ATP. Photoaffinity labeling of binding sites with 2-azido-2',3'-O-(2,4,6-trinitrophenyl)adenosine 5'-triphosphate" <i>European Journal of Biochemistry</i> (1995), 232(2), 578-85.
22.	Oliveira, C. R. G. <i>et al.</i> , "Interaction of Spin-Labeled Nucleotides with Sarcoplasmic Reticulum Adenosinetriphosphatase" <i>Biochemistry</i> (1988), 27(16), 5923-7.
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27.	Vigne, P. <i>et al.</i> , "Benzoyl ATP Is an Antagonist of Rat and Human P2Y ₁ Receptors and of Platelet Aggregation" <i>Biochemical and Biophysical Research Communications</i> (1999), 256(1), 94-97.

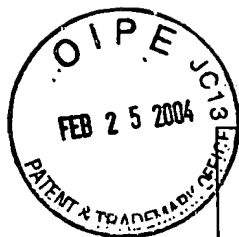
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28.	Ward, D. <i>et al.</i> , "Photoinactivation of Fluorescein Isothiocyanate-modified Na,K-ATPase by 2'(3')-O-(2,4,6-Trinitrophenyl)8-azidoadenosine 5'-Diphosphate. Abolition of E1 and E2 Partial Reactions by Sequential Block of High and Low Affinity Nucleotide Sites" <i>Journal of Biological Chemistry</i> (1998), 273(23), 14277-14284.
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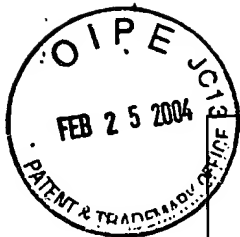
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